

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:18-cv-00200-MOC

NAILAH M. ALI,)	
)	
)	
Appellant,)	
)	
Vs.)	<u>ROSEBORO ORDER</u>
)	
CERBERUS SFR HOLDINGS, L.P.,)	
)	
Appellee.)	

THIS MATTER is before the Court on the Memorandum to the District Court from the Clerk of the Bankruptcy Court (#4) filed in accordance with Rule 8001(a), Federal Rules of Bankruptcy Procedure. Fed.R.Bankr.P. 8001(a).

In that memorandum, the Bankruptcy Clerk advises that the *pro se* Appellant has failed to comply with Rule 8009(b) in that she has not filed the Designation of Items to be included in the “Record on Appeal” and has not filed a Statement of Issues for this Court to consider in determining her appeal. Fed.R.Bankr.P. 8009(b). Pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir.1975), Appellant is advised that in failing to file such items with the Bankruptcy Court, her appeal is not in compliance with Rule 8009(b). Id. To comply with that rule, Appellant will need to file both a Designation of Items to be include in the Record on Appeal and a Statement of Issues within the additional time allowed in this Order.

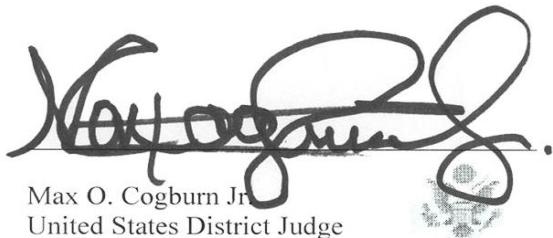
Finally, the appellant is advised that “failure to take any step other than the timely filing of a notice of appeal does not affect the validity of the appeal, but is ground only for the district court ... to act as it considers appropriate, including dismissing the appeal.” Fed.R.Bankr.P. 8003(a)(2).

Appellant is advised that if she fails to make the filings discussed in this Order and file those by June 8, 2018, the Court may dismiss this action or take other appropriate action.

ORDER

IT IS, THEREFORE, ORDERED that acting upon the Memorandum to the District Court from the Clerk of the Bankruptcy Court (#4), Appellant is advised that she is required to file with the Bankruptcy Clerk of Court both a "Designation of Items" to be included in the Record on Appeal and a "Statement of Issues" not later than June 8, 2018.

Signed: May 28, 2018



Max O. Cogburn Jr.
United States District Judge